

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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YOSSEF KAHLON,

Plaintiff,

- against -

CIVIL CASE
MANAGEMENT PLAN

24-CV-02439 (BMC)

COUNTY OF NASSAU, JOHN/JANE DOES
MEMBERS OF THE NASSAU COUNTY
DISTRICT ATTORNEY'S OFFICE, CELINE
BOULBEN and JOHN/JANE DOE "ME TOO"
ORGANIZATION(S),

Defendants.

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CELINE BOULBEN

Counterclaim-Plaintiff

- against -

YOSSEF KAHLON

Counterclaim-Defendant

-----X

COGAN, District Judge.

After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Federal Rules of Civil Procedure 16 and 26(f).

A. The case (is) ~~is not~~ to be tried by a jury.

B. Non-Expert Discovery:

1. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of New York. All non-expert discovery is to be completed by **December 9, 2024**, which

date shall not be adjourned except upon a showing of good cause and further order of the Court. Interim deadlines for specific discovery activities may be extended by the parties on consent without application to the Court, provided the parties are certain that they can meet the discovery completion date.

The parties shall list the contemplated discovery activities and anticipated completion dates in Attachment A, annexed hereto.

2. Joinder of additional parties must be accomplished by **September 6, 2024**.
3. Amended pleadings may be filed without leave of the Court until **July 9, 2024**.

C. For all causes of action seeking monetary damages, each party shall identify and quantify in Attachment B, annexed hereto, each component of damages alleged; or, if not known, specify and indicate by what date Attachment B shall be filed providing such information.

D. Motions:

1. Upon the conclusion of non-expert discovery, and no later than the date provided below, the parties may file dispositive motions. The parties shall agree to a schedule and promptly submit same for the Court's approval, providing for no more than three rounds of serving and filing papers: supporting affidavits and briefs, opposing affidavits and briefs, and reply affidavits and briefs.
2. The last day for filing a letter, pursuant to Rule III.A.2 of the Court's Individual Practices, requesting a premotion conference in order to file dispositive motions shall be **December 16, 2024**. (Counsel shall insert a date one week after the completion date for non-expert discovery.)
 - a. There shall be no cross-motions. Any motions not made by the agreed date shall, unless the Court orders otherwise, not be considered until after the timely-filed motion is determined.
 - b. Papers served and filed by the parties shall conform to the requirements set out in the Court's Individual Practices.

E. Any request for relief from a date provided in this Case Management Plan shall conform to the Court's Individual Practices and include an order, showing consents and disagreements of all counsel, setting out all dates that are likely to be affected by the granting of the relief requested, and proposed modified dates. Unless and until the Court approves the proposed order, the dates provided in this Plan shall be binding.

F. Pre-Trial Motions:

Applications for adjournments and for discovery or procedural rulings will reflect or contain the positions of all parties, as provided by the Court's Individual Rules, and are not to modify or delay the conduct of discovery or the schedules provided in this Case Management Plan except upon leave of the Court.

SO ORDERED.

U.S.D.J.

Dated: Brooklyn, New York

_____, 20____

ATTACHMENT A

The Parties are to list the discovery activities (i.e., production of documents, number of depositions, requests to admit, interrogatories) and anticipated completion dates:

DISCOVERY ACTIVITIES	COMPLETION DATE
1. Parties' Deadline to Serve Initial Disclosures	June 6, 2024
2. Parties' Deadline to Serve First Set of Document Requests and Interrogatories	July 12, 2024
3. Non-Expert Deposition Deadline <ul style="list-style-type: none"> Defendant/Counterclaim-Plaintiff Celine Boulben anticipates taking fewer than 10 depositions but reserves the right to take additional depositions depending on what is borne out in discovery. 	December 9, 2024
4. Parties' Deadline to Serve Requests to Admit	December 9, 2024
5. Parties' Deadline to Serve Expert Disclosures	January 10, 2025
6. Expert Discovery, including Depositions	February 7, 2025
7.	
8.	
9.	
10.	

ATTACHMENT B

For all causes of action seeking monetary damages, each party shall identify and quantify each component of damages alleged:

1. **PLAINTIFF’S CLAIMS:** Plaintiff Kahlon claims entitlement to compensatory damages for emotional distress, loss of liberty, and pecuniary damages; punitive damages; and attorney fees and costs recoverable under 42 U.S.C. §1988(b). The value of compensatory damages can be provided upon the close of expert discovery, and because attorney fees recoverable under §1988(b) are recoverable through the preparation of fee-applications, the final value of those fees can be provided upon the granting of the §1988(b) application.

2. **COUNTERCLAIMS AND CROSS-CLAIMS:**

Defendant/Counterclaim-Plaintiff Celine Boulben seeks the following category of damages: (1) compensatory damages; (2) attorneys’ fees and costs; and (3) punitive damages in an amount to be determined at trial. The monetary amount is not yet known, and Defendant/Counterclaim-Plaintiff Celine Boulben will be able to amend “Attachment B” following the close of expert discovery.

3. **THIRD-PARTY CLAIMS:**

Not applicable.